

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11555 of 2004

Between:

Marripalli Narayana Goud, s/o Ganga Ram, Surpanch
Itikyal Grampanchayat, Raikal Mandal, Karimnagar District.

..... PETITIONER

AND

- 1 The Collector, Panchayat Wing,
Karimnagar, Karimnagar District.
- 2 The District Panchayat Officer, Karimnagar, Karimnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more one in the nature of writ of mandamus declaring the action of the 1st respondent in issuing proceedings No.A6/1736/04-Panchayat dt.5-7-2004 suspending the petitioner from the service as Sarpanch, as arbitrary, unreasonable illegal, improper and set aside the same

For the Petitioner:MR.V.SREE RANGA RAO, Advocate

For the Respondent No.: The Government Pleader for Panchayat Raj & Rural Development.

The Court Made the Following :

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THE HON'BLE SRI JUSTICE N.V. RAMANA

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W.P. No. 11555 of 2004

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Oral order:

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development for the respondents.

As against the impugned order dated 5-7-2004 passed by respondent No.1, placing the petitioner under suspension as Sarpanch, it is stated by the learned Government Pleader for Panchayat Raj and Rural Development, that a revision lies to the Government under Section 264 of the A.P. Gram Panchayat Act, 1964 and that the petitioner without exhausting the remedy of revision, has filed this writ petition.

In the circumstances, the writ petition is disposed of with the following directions:

The petitioner may avail the remedy of revision available to him against the impugned order dated 5-7-2004 passed by respondent No.1 before the Government under Section 264 of the A.P. Gram Panchayat Act, 1964 within a period of three weeks from today along with an application for stay of the impugned order. On the revision along with the application for stay being filed, the Government shall entertain the revision and pass appropriate orders on the stay application. Till then, the impugned order stands suspended.

The writ petition is accordingly disposed of. No costs.

Date: July 7, 2004

KSR/MRB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Collector, Panchayat Wing,
Karimnagar, Karimnagar District.

2 The District Panchayat Officer, Karimnagar, Karimnagar District.

3. Two CCs to G.P for Panchayat Raj & Rural Development, High Court
of A.P., Hyderabad.

4.. Two CD Copies